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Approved for use through 09/30/2000. OMB 0651-0031 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 09/991,157 **Application Number** November 16, 2001 RANSMITTAL Filing Date Ashkenazi, et al. First Named Inventor FORM used for all correspondence after initial filing) 1646 Group/Art Unit Murphy, Joseph **Examiner Name** Total Number of Pages in This Submission 39780-2730P1C51 Attorney Docket Number ENCLOSURES (check all that apply) **Assignment Papers** After Allowance Communication Fee Transmittal Form (for an Application) to Group Appeal Communication to Board Drawing(s) Fee Attached of Appeals and Interferences Appeal Communication to Group Amendment / Response Licensing-related Papers (Appeal Notice, Brief, Reply Brief) After Final Petition Routing Slip (PTO/SB/69) **Proprietary Information** and Accompanying Petition Version with Markings Showing Petition to Convert to a Status Letter Changes **Provisional Application** Power of Attorney, Revocation Additional Enclosure(s) Affidavits/declaration(s) Change of Correspondence Address (please identify below): **Extension of Time Request** stamped return postcard Terminal Disclaimer Information Disclosure Statement Small Entity Statement Certified Copy of Priority Request for Refund Document(s) Response to Missing Parts/ Remarks Incomplete Application **AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES** Response to Missing DUE IN CONNECTION WITH THIS PAPER (Reference Atty. Docket No. 39780-Parts under 37 CFR 2730P1C51). 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY OR AGENT Firm GINGER R. DREGER, ESQ., REG. NO. 33,055, HELLER EHRMAN WHITE & McAULIFFE LLP Individual name Signature Date Customer Number: 35489 **JANUARY 5, 2005** CERTIFICATE OF EXPRESS MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 20231, on this date: Express Mail Label EL 977 611 003 US **CHERYL ANN ROGERS** Typed or printed name Date **JANUARY 5, 2005** Signature

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

policant:

Avi J. ASHKENAZI, et al.

Docket No.:

39780-2730 P1C51

erial No.:

09/991,157

Group Art Unit:

1646

Filing Date:

November 16, 2001

Examiner:

Murphy, Joseph

For:

**NUCLEIC ACIDS ENCODING PRO943** 

EXPRESS MAIL LABEL NO. EL 977 611 003 US

Date Mailed: January 5, 2004

## **AMENDMENT AND RESPONSE TO OFFICE ACTION**

MS: AMENDMENT
Commissioner for Patents
P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Final Office Action mailed on October 8, 2004 and the Supplemental Office action mailed on October 25, 2004 in connection with the above-identified patent application, please enter the following amendments, and consider the following arguments. This response is timely filed within the shortened statutory period set for the response and therefore, no fees are believed to be due.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.